

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:)	
)	
General Iron Industries Inc.)	NOTICE OF VIOLATION
Chicago, Illinois)	
)	EPA-5-00-IL-07
Proceedings Pursuant to)	
Section 113(a)(1) of the)	
Clean Air Act, 42 U.S.C.)	
§ 7413(a)(1))	
_____)	

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S. EPA finds that General Iron Industries Inc. is violating the Illinois State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. Title 35 Illinois Administrative Code (35 IAC) § 212.123, governing visible emissions, was federally approved as part of the Illinois SIP on December 29, 1992. 57 Fed. Reg. 61834.
2. Title 35 IAC § 212.123, "Visible Emissions Limitation for All Other Sources," prohibits the emission of smoke or other particulate matter with an opacity greater than 30 percent, applicable to certain emission sources. The rule includes an exception which allows for emission of smoke with an opacity greater than 30 percent, but not greater than 60 percent for a period totaling 8 minutes in a 60 minute period. This exception is limited to one emission source per facility within a 1000 foot radius, and only applies three times in a 24 hour period.

Factual Background

3. General Iron owns and operates a scrap handling operation at 1909 North Clifton Avenue, Chicago, Illinois.
4. General Iron operates two metal scrap shredders equipped with water sprays, cyclones and a High Energy Air Filtration unit.

5. On May 24, May 25 and May 28, 1999, General Iron was operating the two metal scrap shredders.
6. Emissions from the shredders at General Iron's scrap handling facility are subject to the opacity emission limits set forth in the Illinois SIP regulations found at 35 IAC § 212.123.

Findings of Violation

7. On May 28, 1999, an U.S. EPA inspector observed visible emissions exceeding the 30 percent opacity standard for more than an aggregate of 8 minutes in a 60 minute period from the two metal scrap shredders at General Iron's Chicago facility, in violation of 35 IAC § 212.123.

VISIBLE EMISSION VIOLATIONS **May 28, 1999**

NORTH SHREDDER:

<u>TIME</u>	<u>6-MIN. AVERAGE OPACITY OBSERVED</u>	<u>TIME IN VIOLATION</u>
1041-1047	40.4%	
1048-1054	32.7%	4 minutes*

SOUTH SHREDDER:

1030-1036	44.4%	
1037-1043	35.2%	
1044-1050	39.2%	
1051-1057	50.2%	
1058-1104	35.0%	30 minutes

*Eight minute exception applied

Finding of Violation

The Administrator of U.S. EPA, by authority duly delegated to the undersigned, notifies the State of Illinois and General Iron, Chicago, Illinois, that General Iron is in violation of the Illinois State Implementation Plan as set forth in this Notice of Violation.

12/22/99
Date

A handwritten signature in cursive script, appearing to read "Margaret M. Guerriero", written over a horizontal line.

Margaret M. Guerriero,
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Notice of Violation, No EPA-5-00-IN-07 and Finding of Violation, No. EPA-5-00-IN-08 was sent by Certified Mail, Return Receipt Requested, to:


Nathan Rosenmutter, President
General Iron Industries
1909 North Clifton Avenue
Chicago, Illinois 60614

I also certify that copies of the Notice of Violation and Finding of Violation were sent by first class mail to:

David Kolaz, Manager
Environmental Control
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

Harish Narayan, Acting Regional Manager
Region 1
Illinois Environmental Protection Agency
1701 First Avenue - Suite 600
Maywood, Illinois 60153

on the 23rd day of December 1999.


Betty Williams, Secretary
AECAS (IL/IN)

P140895497
CERTIFIED MAIL RECEIPT NUMBER